

Commission Proceedings Manual

May 2007

Table of Contents

Foreword

First 5 California
Purpose of this Manual

Role of First 5 California.....2

Statutory Directives
Powers of the Commission and Procedural Constraints
Commission Composition
The Commissioner's Role
Chair
Vice Chair
Commission Member Vacancy
Ex Officio Members
Statement of Economic Interest - Form 700
Compensation and Expenses
Commission Committees
Powers Conferred on the Executive Director
Designation of Acting Executive Director

Strategic Plan.....6

Legal Counsel to Commission.....7

Informal and Formal Opinions
Litigation

Commission Meetings8

Bagley-Keene Open Meeting Act of 2004
Serial Meetings
Agenda Items
Request for Item to be Placed on Agenda
Time Allocation for Presentations
Exhibits and Handouts
Pre-meeting Conference
Public Agenda Notice
Availability of Commission Meeting Materials
Closed Sessions
Teleconference Meetings
Meeting Coordinator of the Commission
Quorum
Motions
Amended Motions
Voting
Minimum Vote for Commission Action
Not Participating and Abstaining

Conflict of Interest
Decision
Public Comment
Access to Commission Meeting Sites and Use of Interpreters
Minutes, Transcripts and Audio Recordings
Closed Session Minutes

Legislative Activities and Advocacy	15
Commission Positions on Legislation	
Commission-Sponsored Legislation	
Advocacy	

Exhibits

1. First 5 California Guidelines
2. First 5 California State Commissioner Roster
3. First 5 California Commissioner Terms - Past and Present
4. First 5 California Commission Committee Assignments
5. 2007 Meeting and Activity Calendar
6. Public Agenda Notice of Commission Meeting
7. Agenda Item Format
8. Action Item Issue Paper Format
9. Conflict of Interest Code of the California Children and Families Commission
10. Legislative Screening Criteria (2007)
11. Letter from Attorney General regarding commission participation in activities related to Proposition 86, dated September 27, 2006
12. Key Contacts and Subject Matter Experts
13. 2007 Calendar of Commission Meetings

First 5 California

Commission Proceedings Manual

First 5 California, established through the voter-approved California Children and Families Act (Proposition 10) in 1998, oversees the expenditure of revenues from a 50 cent-per-pack tobacco tax to support smoking prevention and child development programs for children prenatal to age five and their families. The program's broadly defined goals are to promote, support and improve child development through coordinated programs that emphasize parent education, quality child care, early development, and access to health care services.

The First 5 California Commission accomplishes this purpose through the establishment, institution and coordination of appropriate standards, resources and integrated and comprehensive programs emphasizing community awareness, education, tobacco use prevention and cessation, nurturing, child care, social services, health care and research.

Members of the commission meet approximately six times a year throughout California for the purposes of disseminating public information, adopting guidelines, ratifying contracts, identifying opportunities for research and evaluation, and soliciting stakeholder input.

The commission appoints an executive director to implement its policies and manage the activities of commission staff.

Purpose of this Manual

This Commission Proceedings Manual is intended to be a working guide and useful tool for commissioners, management and staff who participate in commission meetings and activities. It covers commission meeting-related processes, procedures, and practices and is based on First 5 California policies and bylaws, and state provisions, statutes and regulations. All suggestions and revision requests should be directed to the meeting coordinator at Legislative and Governmental Affairs.

Role of First 5 California

Statutory Directives

The California Children and Families Act of 1998 (Proposition 10), found in Health and Safety Code Section 130125 directs the commission to:

- Provide statewide dissemination of public information and educational materials regarding early childhood development.
- Adopt and, at least annually, update and adopt guidelines for counties. (Exhibit 1, First 5 California Guidelines)
- Define results to be achieved by the initiative and collect and analyze data to measure progress toward goals.
- Provide for independent research to further the goals of the California Children and Families Act.
- Solicit input regarding program policy.
- Provide technical assistance to First 5 county commissions.
- Review annual audits and reports from First 5 county commissions, and adopt and submit a written annual report to the Governor, the Legislature, and the public on all county audits.
- Apply for gifts, grants, donations and contributions in furtherance of the California Children and Families Act.
- Enter into contracts to further the purposes of the statutes.
- Make policy recommendations to the Governor, the Legislature and the early child development community.

Procedures for the conduct of business by the commission not covered by statutory directives shall be contained in bylaws adopted by the commission (Health and Safety Code Section 130130).

Powers of the Commission and Procedural Constraints

The principal law that constrains the manner in which the commission may conduct its business is the Bagley-Keene Open Meeting Act of 2004 (Government Code Section 11120-11132). The California Attorney General's Office summarizes the Bagley-Keene Act in its document, [A Handy Guide to the Bagley-Keene Open Meeting Act of 2004](#), which can be found on the internet at <http://caag.state.ca.us>. The commission generally follows Roberts Rules of Order to conduct its meetings.

Commission Composition

The commission is composed of seven voting members and two ex officio members. The Governor appoints three members, one to serve as chair and one who is either a county health officer or a county health executive. The Speaker of the Assembly and the Senate Rules Committee (Senate President pro Tempore) each appoint two members to the commission. These commissioners may serve up to two four-year terms. The Secretary of Education and the Secretary of Health and Human Services Agency, or their designees, serve as ex officio, non-voting members. (Exhibit 2, First 5 California State Commissioner Roster)

The Commissioner's Role

- Represent First 5 California outside commission meetings.
- Provide knowledge and expertise to guide commission policy-making.
- Attend approximately six commission meetings annually held at locations throughout the state.

Chair

The chair presides at all commission meetings, e.g., convening, adjourning, calls for agenda items, motions and votes.

Vice Chair

Usually decided in January, the vice chair is elected by the voting members of the commission for a term of one year. The vice chair fulfills the role of chair and presides at meetings in the absence of the chair.

Occasionally, neither the chair nor vice chair is available to run all or part of the meeting, e.g., both officers may be absent, need to leave the room, or are disqualified from discussion and action on an item due to conflict of interest. When such an event occurs, the chair will defer his or her responsibility to administer the meeting to the most senior commissioner. (Exhibit 3, First 5 California Commissioner Terms - Past and Present)

Commission Member Vacancy

Commissioners may leave office at the end of their term or sooner. When a vacancy occurs, a successor is selected by the appointing power.

Ex Officio Members

The Commission has two ex officio members, the Secretary of Health and Human Services and Secretary of Education, or their designees. While these members are nonvoting, they contribute knowledge and expertise to the commission's policy discussions.

Statement of Economic Interest - Form 700

Each commission member is required to file an annual statement of economic interests, Form 700. A blank form is sent to commissioners with directions as to when the statement is due and to whom.

Compensation and Expenses

Voting members are paid per diem of \$100 and are reimbursed for reasonable expenses for attending meetings and discharging official responsibilities as authorized by the state commission.

Commission Committees

The commission shall establish one or more advisory committees as necessary to provide technical and professional expertise (Health and Safety Code Section 130145). Such committees provide guidance, review materials and make recommendations to the full commission, and, in rare instances, when given delegated authority, make decisions on behalf of the commission. Committee members and a designated chairperson are appointed by a majority vote of the commission.

Commission committee membership consists of no more than two commissioners and meetings are not subject to the provisions of Bagley-Keene Act. (Exhibit 4, First 5 California Commission Committee Assignments)

- Executive Committee consists of the commission chair, vice chair and executive director. The committee reviews and develops commission meeting agendas, administrative issues and to discuss commission staff activities.
- Research and Evaluation Committee serves as an advisory body to the commission. The deputy director of research and evaluation serves as staff to the committee and reviews the commission's research agenda, which includes studies on early education workforce, high quality preschool and early literacy, and the characteristics of preschoolers with special needs. The committee also provides input on the evaluation contractor activities and considers recommendations made by the Evaluation Framework Workgroup.
- Media and Public Relations Committee has delegated authority to review and provide guidance and direction on behalf of the commission to state staff regarding public education and outreach campaigns. The committee is staffed by the communications director, and meets at various points during advertising campaign development to review key messages, scripts, storyboards and timelines.
- Equity Principles Committee serves as an advisory body to the commission. The committee, staffed by the School Readiness administrator, reviews and provides input to ensure that the Principles on Equity are infused throughout all First 5 California programs.
- Legislative Committee has delegated authority to review legislation and budget items and to take positions on bills in accordance with commission-approved legislative priorities on behalf of the commission. The legislative and governmental affairs chief serves as staff to the committee.

Committees meet as needed. First 5 California staff, assigned as support, draft and maintain committee agenda procedures in consultation with the committee chairs. Staff arranges in-person or teleconference meetings, prepares agendas in consultation with the committee chairs, and distributes the meeting materials in advance of the meetings to the committee members, executive director and chief deputy director, commissioners, staff, and interested parties. An issue paper, e.g., a report, a legislative proposal, or a bill analysis, as appropriate, supports each agenda or discussion item. Committees may discuss and make recommendations only on those items included on their agendas.

Staff drafts the committee minutes for approval by the committee chair and present any committee decisions or recommendations to the entire commission for approval or discussion at a subsequent meeting. Only commission-approved recommendations are implemented.

Powers Conferred on the Executive Director

The executive director is the only staff member appointed by the commission. The executive director acts under the authority of, and in accordance with direction from the commission. Commissioners should direct their requests for information or assistance from state staff to the executive director.

The executive director also serves as the commission's liaison with First 5 county commissions, the First 5 Association of California and other stakeholder groups.

Designation of Acting Executive Director

When the executive director is absent or otherwise unavailable to perform the duties of the office, the chief deputy director may perform any and all of those duties and as such will be designated as acting executive director.

Strategic Plan

The First 5 California Strategic Plan is a long-range strategic business plan for the organization. Each January the commission develops or updates and votes to approve a multi-year strategic plan. The strategic plan defines the available resources, prioritizes use of those resources and serves as a vehicle for implementing the strategies defined as a result of the strategic planning process. Inherent in the most recent plan are the following overarching concepts:

- *Early Childhood Learning and Education:* Increase the quality of and access to early learning and education for young children ages 0-5.
- *Early Childhood Health:* Promote the prevention, early identification of and intervention in health and developmental issues.
- *Parent and Community Education:* Promote the importance of quality early care and education for young children by providing information and tools to parents, caregivers, schools and communities.
- *Tobacco Cessation:* Contribute to the decrease in the use of tobacco products and other harmful substances by pregnant women, parents and caregivers of young children.
- *Organizational Effectiveness:* Ensure programs and resources are utilized and managed in the most effective manner and in accordance with state laws and regulations.

Each of these initiatives is pursued under the Guiding Principles and the Equity Principles.

Legal Counsel to Commission

Chief counsel is responsible for, among other things, advising staff regarding all relevant legal matters and supporting the legal inquiries and meeting activities of the commission. In situations where the chief counsel would have a conflict of interest, or where legal expertise outside the practice experience of chief counsel is imperative, First 5 California may contract with outside counsel.

Informal and Formal Opinions

The commission or executive director may ask the chief counsel to provide an opinion regarding a commission matter. The chief counsel may provide informal opinions verbally or in writing. Formal opinions are initiated by a written request from the executive director on behalf of the commission.

Counsel generally writes formal opinions for commission approval at the commission's direction when an issue involves the following:

- Interpretation of a new or existing law.
- Apply an existing rule to a set of facts significantly different from those found in previously published formal opinions.
- Modification of an existing interpretation.
- Resolve or reconcile an area of confusion or apparent conflict.

Once the formal opinion is drafted, the matter will be placed on the agenda for consideration. Upon commission approval, the meeting coordinator incorporates counsel's opinion in the meeting minutes.

In addition, the commission, executive director or chief counsel may request an opinion regarding an interpretation of law from the Attorney General's Office, where appropriate.

Litigation

The Attorney General is required by law to represent the commission in all legal actions brought against it, unless the Attorney General declares a conflict of interest, or potential conflict of interest, in which case the commission may contract with outside counsel. The Attorney General may also represent the commission in legal actions the commission files in the performance of its official duties.

Commission Meetings

Commission meetings are scheduled approximately six times per year and held in various locations throughout the state. The meeting schedule is approved at the July meeting as one of the agenda items. Many other items are addressed routinely each year. (Exhibit 5, 2007 Meeting and Activity Calendar)

Bagley-Keene Open Meeting Act of 2004

The Bagley-Keene Open Meeting Act stipulates that all meetings of the commission are open and public (Government Code Sections 11120-11132). The commission generally adheres to Robert's Rules of Order to conduct its meetings.

Serial Meetings

The Bagley-Keene Open Meeting Act prohibits the commission from using direct communication, personal intermediaries, or technological devices that are employed by a majority of the members for the commission to discuss issues or take action outside of an open meeting (Government Code Section 11122.5 (b)). A serial meeting is a series of communications, each of which involves less than a quorum of the commission, but which taken as a whole involves a majority of the commission's members. In other words, no more than two commissioners may meet or discuss an issue outside a commission meeting.

Agenda Items

The meeting agenda may include action or information items. (Exhibit 6, Public Agenda Notice (PAN) of Commission Meeting) Examples of action items are:

- Adoption of policies and administrative procedures.
- Approval to appropriate funds.
- Approval to issue requests for proposals or applications for program funds.
- Contract ratification.
- Development and approval of the strategic plan and program priorities.

Action items that are non-controversial or pro forma may be placed on a consent calendar. The commission votes on the entire consent calendar (which may include multiple items).

Information items consist of presentations made to commissioners to give background to an issue, an update or may be in response to a commissioner's inquiry. Examples of information items include:

- Status report on a state commission initiative or program.
- Topical presentation on issues such as the First 5 California-sponsored Workforce Study.
- An update on organizational development.

State staff prepare briefing materials on each agenda item and provide commissioner's with a binder in advance of the meeting. Informational items are presented in the Agenda Item Format (Exhibit 7) and action items are presented in the Action Item Issue Paper Format

(Exhibit 8). Staff use the issue paper format to present commissioners with a detailed description of a proposed course of action, background information, fiscal impact, the pros and cons of taking the action, and similar information for alternative actions.

Request for Item to be Placed on the Agenda

Any commissioner may place an item on the agenda, subject to the chair's and executive director's approval or a majority vote of the commission in session. If the chair denies a commissioner's request, the commissioner may bring up the denied item during the meeting and request commission approval to place the item on a future agenda. When brought before the commission in this manner for future agenda placement, the item does not need to be publicly noticed for the current meeting. State staff may also recommend agenda items to the executive director.

Any other person may request in writing to the executive director that an item be included on the commission meeting agenda no later than six weeks prior to the meeting. The executive director will consider the appropriateness and timing of the item for inclusion on the agenda. The executive director will send an acknowledgement letter to the requestor notifying him or her whether or not the item will be on the agenda. If approved, the letter will advise the requestor on the conduct of the meeting, including the time allocated for presentation, appropriate format, length and number of copies of written materials, and guidelines for PowerPoint presentations.

For information on scheduling items on commission meeting agendas or for information on commission actions on agenda items, contact the meeting coordinator.

Time Allocation for Presentations

Before each presentation at the commission meeting, the chair informs the speaker how much time will be allowed for their presentation. Generally, ten minutes are allocated to each item including discussion and commissioners' questions. Time is monitored by the meeting coordinator and is stated when allocated time has elapsed.

Exhibits and Handouts

Presenters may provide exhibits and handouts for distribution to the commissioners. Parties are encouraged to provide ten copies to the meeting coordinator for distribution to the commissioners and staff at least two weeks before the commission meeting. Staff make the material available to the public prior to and at the hearing.

Pre-meeting Conference

A pre-meeting conference is held with the executive director, chief deputy director, chief counsel, commission chair and vice-chair to review, clarify and approve the draft agenda. Any changes to the agenda will be incorporated by the meeting coordinator.

Public Agenda Notice (PAN)

Notice of any commission meeting must be given and made available on the First 5 California website at www.ccfc.ca.gov at least ten (10) calendar days before the meeting. Any person who requests a PAN in writing must be sent a copy. The notice must include:

- Name, address, and telephone number of the Legislative and Government Affairs office where an individual may request and/or provide additional information prior to the meeting.
- Address of the internet site where notices are posted.
- Specific agenda for the meeting containing a brief description of the items of business to be transacted or discussed in either open or closed session.

The meeting coordinator also e-mails the PAN to a list-serve and sends a printed copy of the PAN to interested parties who have requested the notice in writing.

No agenda items may be added after the ten-day period begins, with specific exceptions (Government Code Section 11125).

Availability of Commission Meeting Materials

PANs and all other materials distributed to the commissioners for discussion or consideration prior to or at a commission meeting are public records and as such are subject to disclosure unless a recognized exemption applies (California Public Records Act, Chapter 3.5, Section 6250 et seq, Division 7 of Title 1). Commission meeting materials are available to the public at www.ccfc.ca.gov as attachments to the PAN. The materials are also available in printed format on the day of the meeting.

The Bagley-Keene Open Meeting Act specifically provides that before taking final action on any item, writings pertaining to the item that are public records and have been distributed by staff or individual commissioners to the commission prior to or during the meeting must be:

- Made available for public inspection at the meeting.
- Distributed to all persons who request or have requested copies of these writings.
- Available on the internet.

Closed Sessions

Any closed session must be noted on the meeting agenda and properly noticed, citing the statutory authority or provision of the Bagley-Keene Open Meeting Act that authorizes the particular closed session. The commission may hold closed sessions for the following reasons:

- To consider the appointment, employment, evaluation of performance, discipline or dismissal, as well as to hear charges or complaints about a commission employee's actions (Government Code Section 11126(a)(1)).

- To confer with or receive advice from legal counsel regarding pending litigation when discussion in open session would prejudice the commission's position in the litigation (Government Code Section 11126(e)(1)).

Counsel prepares and submits to the commission a memorandum stating the specific reasons and legal authority for the closed session. Counsel may provide the memo prior to, during, or up to ten days after the closed session meeting.

Prior to convening a closed session, the chair must publicly announce those issues that will be considered in closed session (Government Code Section 11126.3). This can be done by a reference to the item as properly listed in the agenda. After the closed session has been completed, the commission must reconvene in public. The chair is required to report only where the commission makes a decision to hire or fire an individual. The commission must keep minutes of their closed sessions. These minutes are confidential, maintained in a sealed envelope by the meeting coordinator, and are disclosable only to the commission itself or to a reviewing court.

Teleconference Meetings

The Bagley-Keene Open Meeting Act provides that the commission or its committees may hold a meeting by audio or audio-visual teleconference for the benefit of the public and the commission or committee (Government Code Section 11123). All PAN requirements apply.

Meeting Coordinator of the Commission

The legislative and governmental affairs chief acts as the meeting coordinator. The executive director delegates the following:

- Establish timeline for preparing each commission meeting.
- Reserve meeting room and audio/visual services.
- Gather input from state commission staff to draft the agenda.
- Review and edit agenda items, motion statements, attachments, talking points and presentations for executive director and chair.
- Provide documents to executive director for review and approval.
- Post agenda on commission website and mail hardcopies to interested parties ten (10) calendar days prior to the meeting.
- Prepare annotated agenda for chair and vice chair.
- Prepare commission meeting open session minutes.
- Collect and secure commission meeting closed session minutes.

Quorum

Ex officio members are not counted for the purpose of a quorum. The commission cannot act unless a quorum, four voting members, is present.

Motions

The following are suggested standard forms of motion. These forms in no way limit a commissioner's right to present his or her own motion for consideration.

"I move to adopt the 2007-2008 Strategic Plan."

"I move to approve the release of a Request for Proposals for the Kit for New Parents and to award one or more contracts for Kit production and training."

"I move to approve spending authority for \$206.5 million total (including \$51.7 million approved in October 2005) to support Cycle 2 four-year funding for the School Readiness Program, beginning Fiscal Year 2006-2007 with spending flexibility through Fiscal Year 2012-13."

Amended Motions

After an item is moved and seconded, commissioners may comment and then public comment is heard. A commissioner may propose an amended motion at this time. Such an amendment may clarify the intent, provide directions to staff, or correct the wording of the original motion. The amended language is highlighted in the following example:

"I move to approve First 5 California's participation in and funding support, **not to exceed \$1.5 million**, for the 2007 California Health Interview Survey to be conducted by the University of California, Los Angeles, Center for Healthier Children."

Voting

After a motion and second, and public comment the commission may vote.

Minimum Vote for Commission Action

Pursuant to statute, a minimum of four affirmative votes are required for a motion to carry. For example, a motion could carry under the following scenarios:

- All seven Commissioners are present and they vote as follows: two abstain, four vote yes, and one votes no.
- Four Commissioners attend and all present vote yes.

Not Participating and Abstaining

A commission member who is disqualified in a matter because of financial contributions, financial interest, or another conflict is not entitled to vote. The commissioner is required to announce at the meeting that he or she “will not participate” and disclose the reasons for the disqualification in the record. This information is noted in the meeting minutes.

A commissioner may “abstain” from voting, if he or she is entitled to participate but chooses not to. The reason for not participating need not be disclosed on the record.

Conflict of Interest

Presence of a conflict of interest prohibits commissioners (as public officials) from participating in discussion about or taking action on an item. Provisions in the California Government Code and Public Contract Code and case law define and provide guidelines related to conflict of interest. Pursuant to the Political Reform Act (Government Code Sections 81000, et seq.), First 5 California adopted a conflict of interest code (Exhibit 9, Conflict of Interest Code of the California Children and Families Commission). A commissioner shall not make, participate in making or in any way attempt to use his or her official position to influence a commission decision in which he or she knows or has reason to know he or she has a financial interest (Government Code Section 87100). Commissioners must be guided solely by the public interest, rather than by personal interest, when dealing with contracting in an official capacity (Government Code Section 1090 et seq.).

A commissioner who has a financial conflict of interest must do the following:

- Notify the executive director as soon as possible if any agenda item presents a potential conflict of interest. This will prepare the chair to announce the commissioner’s nonparticipation in any discussion, deliberation or vote when the item comes up.
- Publicly identify, in enough detail to be understood by the public, the financial interest that causes the conflict of interest or potential conflict of interest.
- Recuse himself or herself from discussing or voting on the matter or from attempting to use his or her position to influence the decision.

Decision

Upon conclusion of an item’s presentation and discussion, the commission may decide the matter then or later in the same meeting, take the matter under submission for decision at another meeting, or take the matter under submission and allow the presenter and staff time to submit further information.

Public Comment

Opportunity is provided for the public to address the commission on any agenda item.

Exception: If an opportunity for public comment was provided on the same item at a commission committee meeting and the item has not been substantially changed since the committee heard the item, the commission is not required to hear additional public comment.

The meeting coordinator will request anyone planning to speak to sign in, although signing a public comment document appearance sheet is voluntary. A speaker who declines to fill out the appearance sheet will not be precluded from speaking to the commission. Copies of the public comment appearance sheets provide information for the meeting minutes. The speaker must, however, state his or her name and association for the record.

Access to Commission Meeting Sites and Use of Interpreters

Commission meeting sites are accessible to people with disabilities. Those who need special assistance may contact the meeting coordinator. Persons participating in commission meetings who do not speak English or who have hearing impairments may contact the meeting coordinator before the meeting date to arrange for an interpreter.

Minutes, Transcripts, and Audio Recordings

Minutes are the summary record of each meeting. The meeting coordinator drafts minutes from notes and audio recordings of open session meetings. Draft copies are distributed to commissioners, the executive director, and selected staff for review. After review and commission approval, the minutes are published on the First 5 California website, www.ccfc.ca.gov.

Closed Session Minutes

Closed session minutes are a record of topics discussed and decisions made at a closed session are confidential and are not open to the public.

Legislative Activities and Advocacy

Commission Positions on Legislation

The commission reviews, revises and adopts its legislative priorities on an annual basis during an open meeting. The legislative priorities conform to the strategic plan and are reflected in the First 5 California Legislative Screening Criteria (see Exhibit 10). The commission has delegated authority to the executive director or his/her designee, in consultation with the Legislative Committee, to apply the screening criteria to adopt positions on legislation and budget issues in the absence of commission approval. The committee reviews the bill analyses and may adopt a position on behalf of the commission that may or may not have been recommended. The commission may take one of the following positions on legislation: support; support concept; support, if amended; neutral; concerns; oppose or oppose, unless amended. If a commissioner objects to the position recommended by the Legislative Committee on a bill or to the position taken by the full commission, the commissioner's objection is included in the commission meeting minutes. Staff notify all commissioners of any positions taken on a measure via e-mail and as part of the legislative update at the subsequent commission meeting. The commission has the opportunity during any public meeting to adopt or change its position on any measure.

Once the Legislative Committee or the commission adopts a position on a measure, the Legislative and Governmental Affairs (LGA) chief advocates the commission's position and concerns to the Legislature, the Governor's administration, control agencies and early child development stakeholders in personal meetings, testimony at legislative hearings and policy workgroups. The commission's position is stated in letters of support, opposition, or concern.

Commission-Sponsored Legislation

Commissioners and state commission staff, through their managers, may submit legislative concepts for commission-sponsored legislation to the executive director. The executive director will determine if the legislative concept is appropriate and consistent with the commission's legislative priorities and strategic plan and, if so, will approve the concept to be developed into a legislative proposal. The LGA staff works with state staff to develop an issue memo for the proposal.

The issue memo will be reviewed by the executive director and, if approved, presented to the Legislative Committee for its review and approval. If approved by the Legislative Committee, the executive director presents the proposed legislation to the full commission for review and approval.

Advocacy

First 5 California may not use its resources to influence public opinion regarding a candidate, or a circulating or qualified ballot measure. Neither First 5 California commissioners nor staff may work to support or oppose a circulating or qualified ballot measure while on state time, or while acting as representatives of the commission. First 5 California may use public funds to provide relevant, unbiased information on issues that will affect the agency. (Exhibit 11, Letter from Attorney General)

Exhibits

Exhibit 1

First 5 California Guidelines

The state commission is required to adopt “guidelines for an integrated and comprehensive statewide program of promoting, supporting, and improving early childhood development that enhances the intellectual, social, emotional, and physical development of children in California” [Health and Safety Code Section 130125(b)]. The guidelines must address:

- Parental education and support services related to informed and healthy parenting.
- Provision and availability of accessible, affordable, and high quality child care (child care facilities and in-home) emphasizing:
 - Qualifications, education and training of providers.
 - Increased access and availability to: resource and referral services, child care facilities, technical assistance for providers, and assistance, including financial, to ensure appropriate child care for all families.
- Provision of child health care services and prenatal and postnatal maternal health care services emphasizing prevention, diagnostic and general health screenings, immunizations, nutrition, treatment of tobacco and other substance abuse, and treatment services not covered by other programs.

The guidelines evolve over time. They are revised annually and must be presented at one or more public hearings before they are adopted. While the guidelines are not mandatory, they assist county commissions in developing strategic plans that contain:

- Outcome-based accountability.
- Comprehensive integrated strategies that support and improve early childhood development, encourage cultural competence and address challenges for children and families with special conditions.
- Effective pathways for achieving the goals of the California Children and Families Act.

The guidelines emphasize the importance of integrated, comprehensive planning and service delivery to achieve improvements for children ages prenatal to five and their families. They describe processes for planning, developing and using an outcomes-based accountability framework, developing strategies, allocating resources and evaluation.

Exhibit 2

First 5 California State Commissioner Roster May 2007

Hector Ramirez, MSW, former Vice President and Chief Operating Officer at Para Los Niños (Appointed by Governor Schwarzenegger, March 2006)

Louis A. Vismara, M.D., Chairman of Community Outreach and a founding member of the M.I.N.D. Institute, University of California, Davis, Health System, and staff to Senate President pro Tempore, Don Perata (Appointed by Senate Rules Committee, February 1999)

David Kears, Director of the Alameda County Health and Human Services Agency (Appointed by Governor Schwarzenegger, May 2006)

Don Attore, former Assistant Executive Director of Community Outreach for the California Teachers Association (Appointed by Assembly Speaker Fabian Nuñez, January 2006)

Carla Dartis, Vice President for the Community Investment Team of the East Bay Community Foundation (Appointed by Senate Rules Committee, April 2007)

Vacancy (to be appointed by the Governor)

Molly Munger, J.D., partner in the Los Angeles civil rights law firm English, Munger & Rice and co-founder and director of The Advancement Project (Appointed by Assembly Speaker Fabian Nuñez, March 2007)

Ex officio Members

Office of the Secretary of Education, David Long, Ph.D.
Designee - Vacant

Health and Human Services Agency Secretary S. Kimberly Belshé
Designee - Deputy Secretary Joe Munso

Exhibit 3

First 5 California Commissioner Terms - Past and Present

Name	Appointing Power	Oath of Office	Term Expires	Replaced By
Hector Ramirez, Chair	Governor Schwarzenegger	3-29-06	12-12-08	
Rob Reiner, Chair	Governor Gray Davis Governor Gray Davis	1-01-01 3-23-99	12-12-04 12-12-00	Hector Ramirez Reappointed
David Kears	Governor Schwarzenegger	5-09-06	12-12-08	
Margaret Taylor	Governor Gray Davis	10-14-03	12-12-04 Resigned 10-04	David Kears
Robert Ross	Governor Gray Davis	6-07-99	12-12-00 Resigned	Margaret Taylor
Vacant – 12-12-06	Governor Schwarzenegger			
Eliseo Medina	Governor Gray Davis	10-08-03	12-12-06	
S. Kimberly Belshé	Governor Pete Wilson	1-03-99	11-04-02	Eliseo Medina
Don Attore	Speaker of the California Assembly – Fabian Nuñez	12-05-05	12-12-09	
Sandra Gutierrez	Speaker of the California Assembly – Herb J. Wesson, Jr.	3-25-02	12-12-05	Don Attore
	Speaker of the California Assembly – Antonio Villaraigosa	2-11-99	2-12-02	Reappointed
Molly Munger, J.D.	Speaker of the California Assembly – Fabian Nuñez	4-24-07	12-12-10	
Alice Walker Duff	Speaker of the California Assembly – Herb J. Wesson, Jr.	3-01-03	12-12-06	Molly Munger, J.D.
Karen Hill-Scott	Speaker of the California Assembly – Robert M. Hertzberg	9-21-00	12-12-02	Alice Walker Duff
Patricia Siegel	Speaker of the California Assembly – Antonio Villaraigosa	2-01-99	1-12-03 Resigned	Karen Hill-Scott
Carla Dartis	Senate Rules Committee	4-24-07	12-12-09	
Elizabeth Rice Grossman	Senate Rules Committee	1-29-02	12-12-05 served up to 4-03-06	Carla Dartis
Susan Lacey	Senate Rules Committee	1-25-99	1-01-02	Elizabeth Rice Grossman
Louis Vismara, M.D.	Senate Rules Committee Senate Rules Committee	2-27-03 2-04-99	12-12-06 12-12-02	

Ex Officio Commissioners

Secretary for Health & Human Services Agency	Office of the Secretary for Education
<p>S. Kimberly Belshé 11-17-03</p> <p>Designee: Joseph Munso 7-13-05</p>	<p>David Long, Ph.D. 5-01-07</p> <p>Designee: Vacant</p>
<p>Glen Rosselli 7-01-01</p> <p>Designee: Genie Chough 6-11-02</p>	<p>Scott Himmelstein (acting) 1-10-07</p> <p>Designee: Vacant</p>
<p>Grantland Johnson 1-04-99</p> <p>Designee: Glen Rosselli Ed Melia 4-04-99</p>	<p>Alan Bersin 7-01-05</p> <p>Designee: Scott Himmelstein 7-21-05</p>
	<p>Richard Riordan 11-18-03</p> <p>Designee: Paul Escala Hanna Skandera</p>
	<p>Kerry Mazzoni 12-18-00</p> <p>Designee: Teresa Garcia 2-01-01</p>
	<p>Gary Hart 5-12-00</p> <p>Designee: Margaret Fortune 5-12-00</p>

Exhibit 4

First 5 California Commission Committee Assignments

Committee	Commissioner	Lead Staff
Research and Evaluation	Don Attore David Kears	Stacie Sormano
Media and Public Relations	Hector Ramirez Vacant	Elisa Bupara
Legislation	Louis Vismara Vacant	Tina Chiginsky
Statewide Partnerships	David Kears Vacant	Elisa Bupara
Equity Principles	Louis Vismara Vacant	Yvette Rowlett
Executive	Hector Ramirez Vacant	Kris Perry

Rev.
5/07

Exhibit 5

2007 Meeting and Activity Calendar

Dates	Topic	Commission Action Required
January 1	2006 statutes take effect	
January 3	Legislature convenes from Interim Recess	
January 24	First 5 Association of California meeting	
January 25 - 26	Annual Report	Formal Commission approval by motion and vote
	Strategic Plan	Development and planning
March 14	First 5 Association of California meeting	
March 15		
May 16	First 5 Association of California meeting	
May 17	Strategic Plan Adoption	Formal Commission approval by motion and vote
May 30-31	First 5 California Annual Statewide Conference	
June 15	Last day for Legislature to pass Budget	
July 18	First 5 Association of California meeting	
July 19	Fiscal Year Fund – Annual Update	Information
	Proposed Meeting Dates and Locations for Following Year	Formal Commission approval by motion and vote
September 19	First 5 Association of California meeting	
September 20	Review Guidelines Updates and Revisions	Formal Commission approval by motion and vote
November 14	First 5 Association of California meeting	
November 15		

*Commission meetings in bold

Exhibit 6



Hector Ramirez, Chair
David Kears, Vice Chair
Don Attore
Carla Dartis
Molly Munger, J.D.
Louis Vismara, M.D.

Ex Officio Members:
Secretary for Education
Secretary of Health and
Human Services Agency

Kris Perry, Executive Director

AGENDA

Date

9:00 a.m. to 4:00 p.m.

Location of Meeting

<u>Item</u>	<u>Presenter</u>	<u>Time</u>
1. Call to Order, Roll Call and Chair's Welcome	Chair, First 5 California	5 minutes
2. Host County Welcome	First 5 County Executive Director	15 minutes
3. Executive Director's Report	Executive Director, First 5 California	10 minutes
4. First 5 Association of California Report	Executive Director First 5 Association of California	10 minutes

Action Items

5. Funding Authorization	Chief Deputy Director	15 minutes
6. Consent Calendar (items listed)	Administration Division Chief	5 minutes
7. Other action items		

Information Items

8. Committee Reports	Committee staff	5 minutes
9. Legislative Update	Legislative and Governmental Affairs Chief	10 minutes
10. Other information items		

CLOSED SESSION

11. Items listed separately

END OF CLOSED SESSION

12. Continuation of remaining items

13. Adjournment

The order in which agenda items are considered may be subject to change. Public comment is taken on each agenda item. Depending on the number of individuals wishing to address the commission, the chair may establish specific time limits on presentations.

Materials available for this meeting are posted on our website at: www.cfc.ca.gov on the Monday preceding the meeting. Any person who wishes to request this notice or other meeting materials in an alternative format, requires translation services, or needs any disability-related modification or accommodation, including auxiliary aids or services, which would enable that person to participate at the meeting must make that request at least 7 days prior to the meeting date to:

Lisa Tate
First 5 California
Legislative and Governmental Affairs
2389 Gateway Oaks Drive, Suite 260
Sacramento, CA 95833
(916) 263-1050; fax (916)263-1360

Exhibit 7

Agenda Item Format



AGENDA ITEM #: _____
DATE OF MEETING: _____
ACTION: _____
INFORMATION: _____

PROJECT TITLE:

A. SUMMARY OF REQUEST:

One or two sentences that encapsulate the proposed project, its purpose and scope.

B. BACKGROUND/HISTORY:

Brief description of the conditions or situations that exist that have stimulated the need for the project. Information that specifically describes the direct relationship between the need and the proposed project, and any previous allocations of funds for this or a similar purpose including the amount, date approved and status of the project.

C. PROPOSAL:

Description of the proposed project or action including the purpose, population served, timeframes, evaluation and cost.

D. FIRST 5 CALIFORNIA OBJECTIVES:

Description of the specific First 5 California objective that the proposed project/action is intended to address, and how the project will support it.

E. INTERFACE/IMPACT ON OTHER PROGRAMS:

Description of the interface with other programs and agencies, including local commissions.

F. ATTACHMENTS:

- ☐ YES
- ☐ NO

Exhibit 8

Action Item Issue Paper Format



AGENDA ITEM #: _____
DATE OF MEETING: _____
ACTION: _____
INFORMATION: _____

PROJECT TITLE:

Issue - Brief statement of the issue, problem, or question involved.

Staff Recommendation - Alternative 1 - Brief summary statement of the course of action recommended by commission staff and why.

Background - Relevant historical information, as well as any other information (e.g., statutes related to the issue), that may be necessary for the reader to understand the origin and nature of the issue and the discussion and analysis that follows. Any impact on First 5 California from a policy perspective and any constraints, inhibiting factors, or obstacles to resolving the issue are presented in this section. How the issue impacts accomplishment of the agency's mission, goals, strategies, and operations is also addressed.

Discussion - This section provides a detailed description and analysis of the changes or recommendation being proposed by staff and interested parties. The analysis provides the context within which staff is making their recommendation.

Staff Recommendation

Description of the Staff Recommendation - This subsection outlines the course of action being recommended by staff.

Pros of the Staff Recommendation - This subsection includes a numbered listing of information supporting the staff recommendation, including any legal opinion supporting it.

Cons of the Staff Recommendation - This subsection describes any potential problems with or negative aspects of the staff recommendation, including any legal opinion against it.

Statutory or Policy Change - This subsection describes any legislative, regulatory or policy change required if the staff recommendation is implemented and how the change is to be accomplished.

Operational Impact - This subsection explains the affect of the staff recommendation on the agency. Any details such as increased workload potentially requiring additional staff and/or new or additional technology, additional space requirements or the restructuring of offices are addressed.

Fiscal Impact

First 5 California - This subsection quantifies any resource needs, cost avoidance, or cost savings to the state commission that would result from implementing the staff recommendation, e.g., new or additional workload, operating costs, materials, postage, travel, etc.

First 5 County Commissions - This subsection estimates any resource needs, cost avoidance, or cost savings to the First 5 county commissions that would result from implementing the staff recommendation.

State or Federal - This subsection states if or how the proposal will affect state or federal funding. For example, if there will be an opportunity for fiscal leveraging or if supplanting will occur.

Critical Time Frames - This subsection describes any necessary time frames that must be met and why they are critical.

Other Alternative(s) - Other alternatives considered, but not recommended, are identified and include the following subsections and in the order shown below. There will always be at least one alternative to the staff recommendation - do nothing.

Description of Alternative

Pros of Alternative

Cons of Alternative

Statutory or Policy Change for Alternative

Operational Impact of Alternative

Fiscal Impact of Alternative

First 5 California

First 5 County Commissions and Association of California

State or Federal

Critical Time Frames of Alternative

Exhibit 10

Legislative Screening Criteria 2007

Priority	Legislative Activity	Issue Areas
Level 1	<p>Analyze legislation and develop First 5 California position</p> <p>Educate Legislature</p> <p>Collaborate with the Commission's Legislation Committee, First 5 County Association and advocates</p> <p>Sponsor or Co-sponsor legislation</p> <p>Write letters and fact sheets</p> <p>Testify</p>	<p>Bills that directly relate to Proposition 10 financing or mandates:</p> <p>Impacts Proposition 10:</p> <ul style="list-style-type: none"> Increases, limits, deletes or enforces tobacco taxes Mandates the use of Prop. 10 revenues for a specified purpose or directs First 5 California to perform a specific function Amends the Prop. 10 statute <p style="text-align: center;">-or-</p> <ul style="list-style-type: none"> Directly impact school readiness programs in First 5 focus areas: <p>Family Support: (Serves Parents and Caregivers)</p> <ul style="list-style-type: none"> Provides information and tools to parents and communities on the importance of and methods to provide early learning experiences for children age 0-5 and their families Prepares child care workforce <p>Health and Well-Being: (Serves Children)</p> <ul style="list-style-type: none"> Promotes health care access, such as enrollment in Medi-Cal and Healthy Families to all children age 0-5 Increases access to early and periodic assessments of children's health and development issues, including developmental screenings for emotional, oral, and physical health Promotes childhood obesity prevention <p>Early Care and Education: (Serves Children)</p> <ul style="list-style-type: none"> Provides preschool for all 3- and 4-year-old children in California Expands School Readiness centers Expands provider training <p>Systems Change: (Serves Communities)</p>

		<ul style="list-style-type: none"> • Promotes the First 5 California Principles on Equity • Seeks to ensure that appropriate service providers serve diverse communities • Recognizes appropriate services for the diverse communities to be served • Promotes collaboration with K-12 community • Streamline services provided by local education entities
Level 2	<p>Evaluate legislation for policy and fiscal impact</p> <p>Informal analysis, as applicable</p> <p>Communicate concerns with advocates and Legislature</p>	<p>Any bill that is likely to pass and directly relates to:</p> <ul style="list-style-type: none"> • Prop.10 revenues • Tobacco use prevention and cessation, second-hand smoke reduction related to parents and children, or • Improving services for young children, such as: <ul style="list-style-type: none"> • Children with disabilities and other special needs • Children of migrant farm workers • Immunizations • Coordination of preschool to kindergarten records • Safety standards for child care centers • English learner support
Level 3	<p>Review bills</p> <p>Watch for changes</p>	<p>Any bill related to young children and their families, child care providers, early child educators, K-12 facilities, and tobacco tax or use.</p>

Exhibit 12

Key Contacts and Subject Matter Experts May 2007

CHIEF COUNSEL

- Chief Counsel Matters

Kimberly Gauthier

(916) 263-1050

kgauthier@ccfc.ca.gov

ADMINISTRATIVE AGENDA

- Administrative Matters
and Consent

Jerri Dale

(916) 263-1050

jdale@ccfc.ca.gov

CLOSED SESSION

- Closed Session Agenda

Kris Perry

(916) 263-1050

kperry@ccfc.ca.gov

PROGRAM MANAGEMENT

- School Readiness

Maria Balakshin

(916) 263-1050

mbalakshin@ccfc.ca.gov

Yvette Rowlett

(916) 263-1050

yrowlett@ccfc.ca.gov

RESEARCH & EVALUATION

Stacie Sormano

(916) 263-1050

ssormano@ccfc.ca.gov

COMMUNICATIONS

Elisa Bupara

(916) 263-1050

ebupara@ccfc.ca.gov

LEGISLATIVE & GOVERNMENTAL AFFAIRS

- Agendas, Minutes and Transcripts

Tina Chiginsky

(916) 263-1050

tchiginsky@ccfc.ca.gov

Exhibit 13
2007 Calendar
Commission Meetings

January 25-26	Sacramento
March 15	Riverside
May 17	Oakland
July 19	Eureka
September 20	Fresno
November 15	Sacramento